

REMARKS

Entry of the above amendments is requested.

By amendment, the claim to benefit as a continuation-in-part of an earlier application is deleted. The current application does not have any common inventors with U.S. Application No. 09/291,922, filed April 14, 1999, now granted as U.S. Patent No. 6,383,776.

By amendment, claims 1-4 are amended to further define the applicant's invention corresponding to various percentages of sequence identity. Support for the claimed percentages can be found at page 13, line 33 through page 14, line 2 and also at the paragraph bridging pages 17-18.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application. In the event of an allowance, Applicants respectfully request rejoinder of claim 11.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 2119-4263. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 2119-4263. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

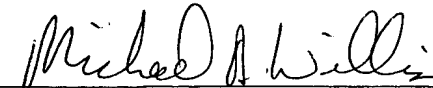
Serial No. 10/051,909

-6- Docket No. 2119-4263 (BB-1163US CIP)

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: September 28, 2004

By:

A handwritten signature in dark ink, appearing to read "Michael A. Willis", is written over a horizontal line.

Michael A. Willis

Registration No. 53,913

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile